

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: David MORTON *et al.*
Serial No.: 10/571,146
Filed: March 9, 2006
For: **DRY POWDER COMPOSITION COMPRISING CO-
JET MILLED PARTICLES FOR PULMONARY
INHALATION**

MAIL STOP: MISSING PARTS
Commissioner for Patents
Alexandria, VA 22313-1450

July 14, 2006

**RESPONSE TO ANTICIPATED NOTIFICATION
OF MISSING REQUIREMENTS**

Sir:

In Anticipation of a Notification of Missing Requirements, enclosed please find the executed Declaration and Power of Attorney form (1 page) signed by the inventors for the above-referenced application.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: _____

Cary S. Kappel

Reg. No. 36,561

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

Mail Stop: Missing Parts
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

In re application of: David MORTON, et al.
Serial No.: 10/571,146
Filed: March 9, 2006
For: **DRY POWDER COMPOSITION COMPRISING CO-JET MILLED PARTICLES FOR PULMONARY INHALATION**

Sir:

Transmitted herewith is a **Response to Anticipated Notice of Missing Requirements (1 page)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

- ☒ Also transmitted herewith are:
☐ Petition for month extension under 37 C.F.R. 1.136
☒ Other: **Executed Declaration and Power of Attorney Document (1 page)**

- ☒ Check(s) in the amount of **\$130.00** is/are attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Petition for month extension under 37 C.F.R. 1.136
☒ Other: **Late declaration fee**

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
☒ Any patent application processing fees under 37 C.F.R. 1.17.
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

07/20/2006 ATRAN1 00000127 10571146

01 FC:1617 130.00 DP


Cary S. Kappel, Reg. No. 36,561
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Mail Stop: Missing Parts; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on July 14, 2006.
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
Oleg Ioselevich